

REMARKS

A. Restriction

The Examiner restricted the claims into the following 8 groups:

- Group 1: Claims 1-8 and 10, drawn to a peptide vaccine comprising a single hTRT peptide and a carrier which is not a cellular carrier classified in Class 530, subclass 350;
- Group 2: Claims 1-7 and 9-10, drawn to a peptide vaccine comprising a combination of hTRT peptides and a carrier which is not a cellular carrier classified in Class 530, subclass 350;
- Group 3: Claims 1-8 and 10-12, drawn to a peptide vaccine comprising a single hTRT peptide and a carrier which is a mammalian cell classified in Class 530, subclass 350 and Class 325;
- Group 4: Claims 1-7 and 9-12, drawn to a peptide vaccine comprising a combination of hTRT peptides and a carrier which is a mammalian cell classified in Class 530, subclass 350 and Class 325;
- Group 5: Claim 13, drawn to synthetic hTRT peptide in complex with a Class I MHC molecule classified in Class 530, subclass 350;
- Group 6: Claims 14 and 15, drawn to a method for inducing and enhancing a CTL response in vitro comprising administering APCs pulsed with hTRT, classified in Class 435, subclass 350;
- Group 7: Claims 14 and 16, drawn to a method for inducing and enhancing a CTL response in vivo comprising administering APCs pulsed with hTRT, classified in Class 435, subclass 350; and
- Group 8: Claims 17 and 18, drawn to a method for targeting CTL to tumor cells by administering TRT peptide to a mammal recipient, classified in Class 512, subclass 2+.

2. Linking Claims

Applicants note that the Examiner found that claim 1 links Groups 1-5,¹ and claim 14 links Groups 6-7,² and that if the linking Claims 1 or 5 were allowed, then “the restriction requirement as to the linked inventions shall be withdrawn and any claim(s) depending from or otherwise including all the limitations of the allowable linking claim(s) will be **entitled to examination** in the instant application.”³ The Examiner also noted that if the linking Claims 1 or 5 are allowed, and if the linked inventions are presented “in a continuation or divisional application, the claims of the continuation or divisional application may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.”⁴

3. Election

To further their business interests, Applicants elect Group I, Claims 1-8 and 10, without traverse.

4. Re-joinder

In view of the Examiner’s finding that Claim 1 links Groups 2-5, Applicants respectfully request rejoinder of Groups 2-5 (Claims 1-13) upon allowance of Claim 1.

¹ Office Action, page 1, item 3.

² Office Action, page 2, item 4.

³ (Emphasis added) Office Action, page 1, item 3, and page 2, item 4.

⁴ *Id.*

PATENT

Attorney Docket No. UCSD-07017

If a telephone interview would aid in the prosecution of this application, Applicant encourages the Examiner to call the undersigned.

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